

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

REGULAR MEETING

DECEMBER 6, 2005

COUNTY COMMISSIONERS

Jennifer Hill, Chairman

Catherine C. Hanson, Vice Chairman

Robert A. Pool, District #2

Debbie Stivender, District #3

Welton G. Cadwell, District #5

Cindy Hall, County Manager

Sanford A. Minkoff, County Attorney

James C. Watkins, Clerk to the Board

DISCLAIMER

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

As a part of any public and formal meeting, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which all public comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

ITEMIZED AGENDA

December 6, 2005

9:00 A.M. Invocation

Pledge of Allegiance

I. ELECTION OF OFFICERS

Election of Chairman and Vice-Chairman

II. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

III. MINUTE APPROVAL

Tab 1 Approval of the following Minutes:

September 27, 2005	Regular Meeting
October 28, 2005	Special Meeting
November 1, 2005	Regular Meeting
November 8, 2005	Regular Meeting

IV. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 7):

1. Contractor Bonds – New, Cancellations, and Reinstatements – Approval.
2. List of warrants paid prior to this meeting, pursuant to Chapter 136 of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office – Acknowledge receipt.
3. Monthly Distribution of Revenue Traffic/Criminal Cases for the Month Ending October 31, 2005, in the amount of \$156,552.87. Same period, last year - \$99,402.84 – Acknowledge receipt.

4. St. Johns River Water Management District's Water Resource Development Work Program (dated October 28, 2005), pursuant to Section 373.536(6)(a)(4), Florida Statutes – Acknowledge receipt.
5. Southwest Florida Water Management District – Governing Board Meeting Agenda – November 30, 2005, at 1660 Ringling Boulevard, Sarasota, Florida, and December 1, 2005, at 2250 NE Roan Street, Arcadia, Florida; and approved Minutes of the Governing Board Meeting held September 27, 2005, at 2379 Broad Street, Brooksville, Florida – Acknowledge receipt.
6. Notice of Application for Amendment to Water and Wastewater Certificates – Notice is hereby given on the 15th day of November 2005, pursuant to Section 267.045, Florida Statutes, and Section 25-30.030, Florida Administrative Code, of the Application of Shangri-La by the Lake Utilities, Inc., of its intent to apply to the Florida Public Service Commission to extend its service area to provide water and wastewater service to the property described. Objections to the Application must be made in writing and filed, as indicated on the notice – Acknowledge receipt.
7. Annexation Ordinances from the City of Tavares as follows – Acknowledge receipt.
Ordinance Number 2005-34 – Annexing approximately 26.4 acres – SR 19 and Lane Park Cutoff Road
Ordinance Number 2005-38 – Annexing approximately 2.82 acres – Gause Street, West of Lake Dora
Ordinance Number 2005-42 – Annexing approximately 4.74 acres – Dead River Road and SR 19.

RECOMMENDATION: Approval

V. **COUNTY MANAGER'S CONSENT AGENDA** (Tabs 3 through 38)

A. **Budget**

Tab 3

1. Budget transfer – Fire Services Impact Fee Trust Fund, Department of Public Safety, Fire/Rescue Division. Transfer \$35,133.00 from Land to Machinery and Equipment (\$34,637.00) and Office Supplies (\$496.00). Funds are needed to purchase thermal imaging cameras with chargers for the fire stations at Paisley, Eustis, Lake Jem and Leesburg, who do not currently have thermal imaging cameras. Funds available in Land, as there are funds remaining after the purchase of the Lake Jem land.

RECOMMENDATION: Approval

2. Budget transfer – County Fire Control Fund, Department of Public Safety, Fire/Rescue Division. Transfer \$54,171.00 from Land to Machinery and Equipment (\$52,343.00) and Office Supplies (\$1,828.00). Funds are needed to purchase defibrillators/monitors, battery support systems, Lifepak batteries and SP92 sensors for the fire stations at Eustis, Paisley and Lake Jem. Funds available in Land, as funds budgeted for the Altoona land purchase are no longer needed.

RECOMMENDATION: Approval

3. Resolution to amend the County Fire Control Fund in order to receive unanticipated revenue for Fiscal year 2005-2006 in the amount of \$6,900.00 deposited into Volunteer Fire Assistance Grant and provide appropriations for the disbursement for Operating Supplies. Funds were received from the State of Florida Division of Forestry.

RECOMMENDATION: Approval

4. Resolution to amend the County Fire Control Fund in order to receive unanticipated revenue for Fiscal Year 2005-2006 in the amount of \$39,001.00 deposited into Firefighters Grant Program and provide appropriations for the disbursement for Machinery and Equipment. Funds were received from the Department of Homeland Security and will be used to purchase portable radios.

RECOMMENDATION: Approval

Tab 4 Approval for the Assignment and Amendment of Agreement between Lake County, The Greater Construction and Greater Pines Homeowners' Association, Inc. for the provision of maintenance services within the Greater Pines Municipal Services.

RECOMMENDATION: Approval

Tab 5 Approval of write-off of \$2,462.00 in excess transfers of concurrency funds to reconcile Concurrency Accounts and eliminate discrepancies.

RECOMMENDATION: Approval

Tab 6 Approval of very low-income and low-income impact fee waivers as refunds to lenders on behalf of qualified individuals.

RECOMMENDATION: Approval

B. Community Services

Tab 7 Approval to acknowledge the Special Project Savings Plan from the Lake County Health Department Trust Fund to reallocate existing funds.

RECOMMENDATION: Approval

Tab 8 Approval to submit grant application electronically for the Gates Computer Upgrade Grant Program (Bill and Melinda Gates Foundation Grant) and for the Chairman to sign any resulting grant agreement or documentation subject to County Attorney approval.

RECOMMENDATION: Approval

Tab 9 Approval of the amended Agreement between the Florida Commission for the Transportation Disadvantaged and the Board of County Commissioners regarding the funding for the Medicaid Non-Emergency Transportation Program.

RECOMMENDATION: Approval

Tab 10 Approval of Agreement with We Care of Lake County for delivery of Coordinated, Comprehensive Primary and Specialty Healthcare for Medically Indigent Residents.

RECOMMENDATION: Approval

Tab 11 Approval to designate LifeStream Behavioral Center as the approved drug abuse treatment/education program recipient for funds collected per Ordinance Number 2001-90, Alcohol and Drug Trust Fund Revenue, from October 1, 2003 through September 30, 2005.

RECOMMENDATION: Approval

C. Economic Development and Tourism

Tab 12 Approval of a Resolution which recommends that Di-Tech Testing Company be approved as a Qualified Target Industry; recommends the award of the Qualified Target Industry (QTI) Tax Refund; and which commits to 20 percent (20%) matching funds of \$24,000.00 over a four year period.

RECOMMENDATION: Approval

Tab 13 Approval of a new Jobs Growth Investment (JGI) Trust Fund Process to assist companies in employing and training persons with disabilities; approval to award \$3,000.00 per position created and filled; and approval to work with an process applications, employment and follow-up through companies in Lake County who currently provide worker training and placement of the disabled.

RECOMMENDATION: Approval

Tab 14 Approval and execution of a Resolution approving the issuance by the Orange County Industrial Development Authority of its Industrial Development Revenue Bonds for the Central Florida YMCA Project in an amount not to exceed \$17,500,000.00.

RECOMMENDATION: Approval

D. Employee Services

Tab 15 Approval to accept the Agreement with LRMC/HealthChoice for discount on inpatient and outpatient hospital services provided by LRMC, when charges are incurred for Lake County employees and dependents in the HealthChoice CPO Plan.

RECOMMENDATION: Approval

Tab 16 Approval to process payment to Vann Gannaway Chevrolet, Inc. for repair of Doug Walker's vehicle, subject to the County Attorney's review and approval.

RECOMMENDATION: Approval

Tab 17 Approval to process payment to Phillips Buick Pontiac GMC Truck, Inc. for repair of Gerald Kirk's vehicle, subject to the County Attorney's review and approval.

RECOMMENDATION: Approval

E. Environmental Services

Tab 18 Approval for Lake County to exercise their option by notifying Orlando Utilities Commission (OUC) in writing on or before January 1, 2006 of its decision to obtain water from an Alternative Water Supply Project to be developed by OUC and the quantity of Alternative Water to be utilized by Lake County.

RECOMMENDATION: Approval

F. Growth Management

Tab 19 Approval and authorization for staff to evaluate property for purchase of approximately 28 +/- acres in size adjacent to the Dora Canal.

RECOMMENDATION: Approval

Tab 20 Approval of the Interlocal Agreement with Lake-Sumter MPO, which will formalize the cooperation and sharing of data and resources, including, but not limited to 50 percent funding of a GIS Analyst position; approval of the unanticipated revenue Resolution in the amount of \$26,000.00 to amend the GIS budget to including the funding for this Agreement; and approval of the Form 9 to upgrade the scheduled hours for the associated GIS Analyst position from part-time status to full-time status for use in meeting the stipulations of this Agreement.

RECOMMENDATION: Approval

G. Procurement Services

Tab 21 Approval to declare the items on the attached lists surplus to County needs; authorize the removal of all of the items on the attached lists from the County's official fixed asset inventory system records; and authorize the Interim Procurement Services Director to sign the vehicle titles.

RECOMMENDATION: Approval

Tab 22 Approval and authorization for Procurement Services to waive bid requirements and standardize on Diamondback Airboats; and procure the airboats from the manufacturer, Diamondback Airboats in Cocoa, Florida for use by Aquatic Plant Management.

RECOMMENDATION: Approval

Tab 23 Approval to award and execute the contract with BCI Engineers and Scientists, Inc. to provide stormwater engineering services for Lake Dora, Lake Beauclair and Lake Carlton, in the amount of \$125,659.00, RSQ 05-121.

RECOMMENDATION: Approval

Tab 24 Approval and authorization to execute the First Amendment to amend the Scope of Services included in the On-Call Continuing Contract for geotechnical engineering services with Devo Seereeram, Ph.D. for RSQ 03-032.

RECOMMENDATION: Approval

Tab 25 Approval to award the renewal of the annual Maintenance Agreement with Honeywell Building Solutions in the amount of \$26,516.00 for Building Management Support Services on the Honeywell Automated HVAC System for the Government Complex in Tavares; and authorization for the County Manager to award the renewals each year hereafter.

RECOMMENDATION: Approval

Tab 26 Approval to renew the contract for the Group Dental Insurance, RFP 01-077, CompBenefits, for one additional twelve month period at the same rates.

RECOMMENDATION: Approval

Tab 27 Approval to award and execute the contract with Jones Edmunds & Associates, RSQ 06-008, to provide engineering services for the Phase II Landfill Permit Modifications in the amount of \$74,680.00.

RECOMMENDATION: Approval

H. Public Safety

Tab 28 Approval and execution of Modification Number 1 to the State Homeland Security Grant (SHSG) to reinstate the Agreement and extend the contract date from September 30, 2005 to March 31, 2006.

RECOMMENDATION: Approval

I. Public Works

Tab 29 Approval and authorization to release a Maintenance Bond in the amount of \$49,975.00 posted for Fairways at Mt. Plymouth, Phase III. Fairways at Mt. Plymouth, Phase III consists of 76 lots – Commission District 4.

RECOMMENDATION: Approval

Tab 30 Approval and authorization to release a Maintenance Bond in the amount of \$8,417.74 for Eden Estates. Eden Estates consists of 17 lots – Commission District 4.

RECOMMENDATION: Approval

Tab 31 Approval and signature of Agreement between the State of Florida Department of Environmental Protection Land and Water Conservation Fund Program and Lake County for the Palatlahaha Environmental Reserve project. *(Check was presented to the Board at the November 15, 2005 BCC Meeting)*

RECOMMENDATION: Approval

Tab 32 Approval, acceptance and execution of Subordination of Utility Interest Agreement between Lake County and Florida Power Corporation d/b/a Progress Energy Florida, Inc. on North Buckhill Road (Number 2739).

RECOMMENDATION: Approval

Tab 33 Approval and execution of a Cooperative Agreement for Exchange of Interests between Lake County and St. John's River Water Management District, and a Perpetual Access Easement, in conjunction with Lake County's Sleepy Hollow Realignment Project and St. John's Harris Bayou Project.

RECOMMENDATION: Approval

Tab 34 Approval and authorization to accept the final plat for Windsong at Leesburg and all areas dedicated to the public as shown on the Windsong at Leesburg final plat; accept a Performance Bond in the amount of \$1,693,398.39; and execute a Developer's Agreement for Construction of Improvements between Lake County and The Ryland Group, Inc. Windsong at Leesburg consists of 185 lots – Commission District 3.

RECOMMENDATION: Approval

Tab 35 Approval and authorization to release a Letter of Credit for Performance for Grand Island Ridge in the amount of \$319,000.00; accept a Letter of Credit for Maintenance in the amount of \$106,510.70; execute a Developer's Agreement for Maintenance of Improvements between Lake County and Palmer Homes, Inc.; and execute a Resolution accepting the following roads into the County Road Maintenance System: Cadet Road (County Road Number 6345), Scout Court (County Road Number 6345A), Spirit Court (County Road Number 6345B), Cavalier Court (County Road Number 6345C), and Regiment Drive (County Road Number 6345D). Also, accept a Cashier's Check for Performance in the amount of \$1,597.20; and execute a Developer's Agreement for Construction of Improvements between Lake County and Palmer Homes, Inc. Grand Island Ridge consists of 68 lots – Commission District 5.

RECOMMENDATION: Approval

Tab 36 Approval and authorization to accept the final plat for Estates at Sunnyside and all areas dedicated to the public as shown on the Estates at Sunnyside plat. Estates at Sunnyside consists of 14 lots – Commission District 1.

RECOMMENDATION: Approval

Tab 37 Approval and signature on Resolution authorizing the posting of speed limit signs on the following roads in the Clermont area:

Courtyard Lane	1528B	Winding Marsh Street	1631D
Marsh Hammock Way	1631	Golden Club Street	1631E
Water Fern Circle	1631A	Switch Crane Street	1631F
Water Orchid Avenue	1631B	Berry Groves Road	0421
Marsh Elder Street	1631C		

RECOMMENDATION: Approval

Tab 38 Approval and execution of the First Amendment to the Interlocal Agreement between Lake County Board of County Commissioners and the City of Tavares for the Tavares Western Connector Design and Construction.

RECOMMENDATION: Approval

VI. PERSONAL APPEARANCES/PRESENTATIONS

A. PERSONAL APPEARANCES – 9:00 A.M. or as Soon Thereafter

1. EMPLOYEE AWARDS

Presentation of Award to Employees with Five Years of Service

John D. Wight, Contracting Officer, Procurement Services

Edith M. Hendrickson, Library Assistant, Community Services/Library Services

Robert A. Armas, Firefighter/EMT, Public Safety/Fire and Rescue

Michael J. Timpanaro, Plans Examiner I, Growth Management/Building Services

Roger D. Warren, Equipment Operator IV, Environmental Services/Solid Waste Operations

Sherry W. Aldrich, Office Associate IV, Public Safety/Fire and Rescue

Aaron J. Chaddick, Network Administrator, Information Technology/Information Systems

Presentation of Award to Employees with Fifteen Years of Service

Leon F. Burton, Environmental Inspector, Environmental Services/Solid Waste Operations

John M. Bringard, Outsourcing Contracts Manager, Public Works/Road Operations

2. BOARD/COMMITTEE PRESENTATIONS

PLAQUES

Board of Building Examiners

Debbie Vanier for service from 1999-2005

Cultural Affairs Council

Dorothy Vedder for service from 2000-2005

CERTIFICATES

Comprehensive Health Care Committee

R. Patton McConnell for service from 2003-2005

Cultural Affairs Council

Jonathan Cherry for service from 2001-2005
Sydra Nightingale for service from 2003-2005
Sandra Stura for service from 2003-2005

Elder Affairs Coordinating Council

Dr. Thomas Cook for service from 2004-2005

Impact Fee Committee

Tennyson Legg for service from 2004-2005
Sue Tucker for service from 2004-2005

Library Advisory Board

Helen White for service from 1999-2005

B. PRESENTATIONS – 9:00 A.M. or as Soon Thereafter

1. PRESENTATIONS

PRESENTATION: Statewide Trails Program by Jim Wood, Assistant Director, Florida Department of Environmental Protection, Office of Greenways & Trails and Update on Blueways Program by the Environmental Services Department

Tab 39 **PRESENTATION:** Enhanced Programs for Parks and Roads in Unincorporated Lake County by the Public Works Department

Tab 40 **PRESENTATION:** By the Public Works Department concerning County Road 466 Design Project and Project Development and Environmental Study (PD&E) which was Conducted by the Town of Lady Lake

Tab 41 **PRESENTATION:** By the Public Works Department regarding County Road 466A (Miller Street) Design Project and Project Development and Environmental Study (PD&E) which was Conducted by the City of Fruitland Park

Tab 42

PRESENTATION: Hartle Road Project Development and Environmental (PD&E) Study and Design of Hartwood Marsh Road by the Consultant, HNTB Corporation

VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS (Tab 43 through 45)

A. Budget

Tab 43

Discussion needed for Board direction related to appeal by Charles Johnson on behalf of Hawthorne Residents Cooperative Association, Inc. for refund of school impact fees paid on three lots. Sago Palm at Hawthorne is an approved adult only community.

RECOMMENDATION: Approval

Tab 44

Discussion and presentation of the legislative positions for Lake County for the 2006 Florida Legislative Session.

RECOMMENDATION: Approval

B. Public Safety

Tab 45

Approval to accept the City of Leesburg Business Plan with changes and implement the activation of the "Lakefront" Government Access Channel and approval of related Budget Transfer in the amount of \$10,000.00 from Reserves (General Fund).

RECOMMENDATION: Approval

VIII. PUBLIC HEARINGS

A. PUBLIC HEARINGS – 5:05 P.M. or as Soon Thereafter

1. PUBLIC HEARINGS

Tab 46 **PUBLIC HEARING:** Ordinance Amending Section 11.01.04 of the LDR's to Remove Bus Shelter Signs and Bench Signs from Exempt Signs (Final Hearing)

Tab 47 **PUBLIC HEARING:** Ordinance Amending Section 3.01.03 of the LDR's Entitled Schedule of Permitted and Conditional Uses (Final Hearing)

IX. OTHER BUSINESS (Tab 48 through 51)

Tab 48 Appointment of individuals to two vacant citizen-at-large positions on the Impact Fee Committee to complete unexpired terms ending August 6, 2006. *(Rescheduled from the November 15, 2005 BCC Meeting)*

Tab 49 Appointment of individual to a vacant District 3 seat on the Elder Council to complete an unexpired term ending January 31, 2007.

Tab 50 Appointment of Phil Braun as the Leesburg Regional Medical Center member representative on the Comprehensive Health Care Committee and appointment of Joni Smith as the alternate member representative.

Tab 51 Appointment of individuals to upcoming vacant positions on the Industrial Development Authority to serve four-year terms beginning March 10, 2006.

X. REPORTS

A. County Attorney (Tab 52)

Tab 52 Approval and signature on the Interlocal Agreement with the City of Mascotte pertaining to animal control services for the city.

B. County Manager

C. Commissioner Hill – Chairman and District #1

D. Commissioner Pool – District #2

E. Commissioner Stivender – District #3 (Tab 53)

Tab 53 Approval and execution of Proclamation proclaiming the Board's support for 5000 Friends of Florida.

F. Commissioner Hanson – District #4

G. Commissioner Cadwell – District #5

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting, the Board of County Commissioners will hear questions, comments and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.

TENTATIVE AGENDA

DECEMBER 13, 2005

9:00 A.M. Regular Meeting/Tentative

TENTATIVE AGENDA

DECEMBER 20, 2005

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

9:00 A.M. PUBLIC HEARING: Fiscal Year 2004-2005 Consolidated Annual Performance Evaluation
or as Soon and Review for Community Development Block Grants
Thereafter

TENTATIVE AGENDA

JANUARY 10, 2006

9:00 A.M. Regular Meeting/Worksession

9:00 A.M. PRESENTATION: Sustainable Growth by Ernest A. Cox, Florida Stewardship Foundation
or as Soon
Thereafter

TENTATIVE AGENDA

JANUARY 17, 2006

8:30 A.M. Value Adjustment Board
or as Soon
Thereafter

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

JANUARY 24, 2006

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

TENTATIVE AGENDA

FEBRUARY 7, 2006

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

FEBRUARY 14, 2006

9:00 A.M. Lake County Day in Tallahassee, Florida (No BCC Meeting)

TENTATIVE AGENDA

FEBRUARY 21, 2006

9:00 A.M. Regular Meeting